



April 11, 2013

Mr. Phil Mocek
Muckrock News
Dept. MR 2506
P.O. Box 55819
Boston, MA 02205-5819

RE: FOIA Request

Dear Mr. Mocek,

This responds to your Freedom of Information Act (FOIA) request dated January 14, 2013, which seeks Postal Service Records. As set forth in more detail below, your request is granted, in part; denied, in part.

Release of any documents within the custody of the U.S. Postal Service is governed by the requirements of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and the Privacy Act of 1974 ("Privacy Act"), 5 U.S.C. § 552a. The FOIA requires Government agencies to disclose reasonably described records unless the records qualify for one of several exemptions or if the records are not currently in that Agency's possession. See, 5 U.S.C. §§ 552(a)(3), b(1) - (9).

1. REQUEST FOR: Staff roster for U.S. Postal Service's "East Union" office at 1110 23rd Avenue in Seattle, Washington.

You requested the staff roster for the U.S. Postal Services East Union office located at 1110 23rd Avenue, Seattle, Washington. Enclosed, please find an Employee Listing Report (redacted) for the East Union Station as of the week of January 12, 2013.

2. REQUEST FOR: Staff schedule and attendance records for the East Union office applicable to Saturday, January 12, 2013.

You requested the staff schedule and attendance records for the East Union office applicable to Saturday, January 12, 2013. This request is granted, in part, and denied, in part. Enclosed, please find an Employee on the Clock Report (redacted) for the East Union Station for January 12, 2013. This request is otherwise denied.

The Postal Service states that it does not have any staff schedule. Under FOIA, an Agency is not required to create documents to respond to a request and your request would require the creation of documents specific to a staff schedule.

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In addition, were the Postal Service to have such documentation and to the request for attendance records, the Postal Service denies this request. Under Exemption 3 of the FOIA, and 39 U.S.C. § 410(c)(2), the Postal Service may withhold "information of a commercial nature, including trade secrets, whether or not obtained from a person outside the Postal Service, which under good business practice would not be publicly disclosed." I have determined that it would not be good business practice to disclose schedules and attendance records for a specific post office, as it would indicate specific financial information, by location, which Postal Service competitors could make use of in locating their own facilities and providing services similar to those offered by the Postal Service.

Further, this request is denied to the extent that attendance records would disclose personal information related to employees which would be a clearly unwarranted invasion of personal privacy.

3. REQUEST FOR: Any audio, video, or photographic records for the East Union office between 1:45p.m. and 2:15p.m. on January 12, 2013, such as those recorded by the surveillance camera mounted on the wall adjacent to the retail counter.

The Postal Service states that it does not have any responsive documents.

4. Already responded to by letter dated February 19, 2013.

5. REQUEST FOR: Any incident reports, daily activity logs, and similar records filed by Justin at the East Union office regarding his work at that office on January 12, 2013.

This request is too vague as there is not sufficient information to identify "Justin." In addition, the Postal Service does not know what "daily activity logs" are and has no system of records containing documents identified as "daily activity logs." The Postal Service is also unaware what would qualify as "similar records." Please contact me if you would like to clarify this request.

Sincerely,



Michael R. Tita

Encl.